

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

LAZY J RANCHES LIMITED
PARTNERSHIP,

CV-23-67-BU-BMM

Plaintiff,

v.

UNITED STATES OF AMERICA AND
UNITED STATES FOREST SERVICE,
Defendants.

ORDER

INTRODUCTION

Plaintiff Lazy J Ranches Limited Partnership (“Lazy J”) filed this action on October 4, 2023. (Doc. 1.) Defendants United States of America and United States Forest Service (collectively “Defendants”) filed a motion to dismiss for lack of subject matter jurisdiction on December 22, 2023. (Doc. 5.) Lazy J filed an amended complaint on January 4, 2024. (Doc. 8.)

Federal Rule of Civil Procedure 15 provides that a party may amend its pleading within 21 days after service of a motion under Rule 12(b). *See Fed. R. Civ. P. 15(a)(1)(B).* Lazy J complied with this requirement. Defendants may file a renewed motion to dismiss addressing Lazy J’s amended complaint if they choose to do so.

ORDER

Accordingly, **IT IS ORDERED:**

1. Defendants' Motion to dismiss for lack of jurisdiction (Doc. 5) is **DENIED as moot.**

DATED this 8th day of January, 2024.



Brian Morris, Chief District Judge
United States District Court